

Preliminary Report of Actions
State Board of Education
Thursday, July 8, 2004

California Department of Education
1430 N Street, Room 1101
Sacramento, California

Members Present

Ruth E. Green, President
Glee Johnson, Vice President
Joe Nuñez
Brent Godfrey
Suzanne Tacheny
Johnathan Williams

Members Absent

Reed Hastings
Don Fisher
Ruth Bloom
Jeannine Martineau
Bonnie Reiss

Closed Session. 8:10 a.m. to 9:41 a.m.

Call to Order: Public Session. 10:00 a.m.

Closed Session Report

Ms. Steentofte announced that in the morning's Closed Session the Board heard updates from their attorneys on *Williams v. State of California*; *California Association of Private Special Education Schools v. California Department of Education*; *Miller v. California Department of Education*; and *Renaissance Academy Charter School v. Los Angeles Unified School District*. No action was taken on *Williams v. State of California*; *Miller v California Department of Education*; and *Renaissance Academy Charter School v. Los Angeles Unified School District*. The Board took action in *California Association of Private Special Education Schools v. California Department of Education* to approve a partial settlement agreement.

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CONSENT WAIVERS (WC-1 through WC-22)

ADULT EDUCATION INNOVATION AND ALTERNATIVE INSTRUCTIONAL DELIVERY PROGRAM

ITEM WC-1	Request by Santa Cruz City Schools to waive <i>Education Code (EC) Section 52522(b)</i> to increase from 5 percent to 7 percent the proportion of their adult education state block entitlement that may be used to implement approved adult education innovation and alternative instructional delivery programs. Waiver Number: 6-4-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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FEDERAL WAIVERS – SAFE AND DRUG FREE

ITEM WC-2	Request by Arcadia Unified School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of <i>Connect With Kids</i> . Waiver Number: Fed-06-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM WC-3	Request by Carlsbad Unified School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115(a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of <i>Lions-Quest Skills for Growing</i> a K-5 comprehensive prevention program. Waiver Number: Fed-04-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM WC-4	Request by Solana Beach School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of <i>Michigan Model for Comprehensive School Health Education</i> (Substance Use and Abuse Section). Waiver Number: Fed-05-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION

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ITEM WC-5	Request by Escondido Union High School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of <i>Connect With Kids</i> – A multi-media approach to teaching life skills and prevention of drug and alcohol abuse and violence. Waiver Number: Fed-07-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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REGIONAL OCCUPATIONAL PROGRAM (ROP)

ITEM WC-6	Request by San Bernardino County Superintendent of Schools ROP for a renewal to waive <i>Education Code</i> (EC) Section 52314.6 regarding the 3% limit on enrollment of students under the age of 16, in the Regional Occupational Program (ROP). Waiver Number: 32-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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RESOURCE SPECIALIST

ITEM WC-7	Request by Poway Unified School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the Resource Specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Cheryl Navidi at Rancho Bernardo High School Waiver Number: 54-3-2004 (Recommended for APPROVAL WITH CONDITONS)	ACTION
ITEM WC-8	Request by Poway Unified School District to waive <i>Education Code</i> (EC) Section 56362(c): allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Anne Van Bebber at Tierra Bonita Elementary school. Waiver Number: 56-3-2004 (Recommended for APPROVAL WITH CONDITONS)	ACTION

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ITEM WC-9	Request by Poway Unified School District to waive <i>Education Code</i> (EC) Section 56362(c): allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Crystal Ochoa assigned at Garden Road Elementary School. Waiver Number: 33-5-2004 (Recommended for APPROVAL WITH CONDTIONS)	ACTION
ITEM WC-10	Request by Walnut Valley Unified School District to waive <i>Education Code</i> (EC) Section 56362(c): allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Ramona Talampas assigned at CJ Morris Elementary. Waiver Number: 77-3-2004 (Recommended for APPROVAL WITH CONDTIONS)	ACTION
ITEM WC-11	Request by Orange Center School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Susan Carlock assigned to Orange Center School. Waiver Number: 7-4-2004 (Recommended for APPROVAL WITH CONDTIONS)	ACTION
ITEM WC-12	Request from the Jefferson Elementary School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Polly Petz assigned at Monticello Elementary School. Waiver Number 102-4-2004 (Recommended for APPROVAL WITH CONDTIONS)	ACTION
ITEM WC-13	Request by North Monterey County Unified School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Essie Martin at Echo Valley Elementary. Waiver Number: 131-4-2004 (Recommended for APPROVAL WITH CONDTIONS)	ACTION

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ITEM WC-14	Request by West Contra Costa Unified School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Jodee Gunther assigned at Highland Elementary School. Waiver Number: 51-4-2004 (Recommended for APPROVAL WITH CONDTIONS)	ACTION
ITEM WC-15	Request by West Contra Costa Unified School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of three resource specialists to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Roselly Lumapas, Eric Tanaka, and Max Driggs assigned at De Anza High School. Waiver Number: 105-4-2004 (Recommended for APPROVAL WITH CONDTIONS)	ACTION
ITEM WC-16	Request by Hollister School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of two resource specialists to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Kathleen Byrne assigned at Cerra Vista Elementary and Pam Patton assigned at R.O. Hardin Elementary School. Waiver Number: 7-11-2003 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM WC-17	Request by Hollister School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Chris Hyde assigned at R.O. Hardin Elementary School. Waiver Number: 13-11-2003 (Recommended for APPROVAL WITH CONDITIONS)	ACTION

SCHOOL SITE COUNCIL

ITEM WC-18	Request by Tulelake Basin Joint Unified School District for a renewal waiver of <i>Education Code</i> (EC) Section 52852, allowing one joint school site council to function for three small rural schools participating in the School Based Coordinated Program. Waiver Number: 28-4-2004 (Recommended for APPROVAL)	ACTION
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ITEM WC-19	Request by Tulelake Basin Joint Unified School District for a renewal waiver of <i>Education Code</i> (EC) Section 52852, allowing the district to continue to operate a School Site Council which includes two, rather than four, students for each school participating in the School Based Coordination Act. Waiver Number: 29-4-2004 (Recommended for APPROVAL)	ACTION
ITEM WC-20	Request by Golden Feather Union School District for a renewal waiver of <i>Education Code</i> (EC) Section 52852, allowing one joint school site council to function for two small rural schools under the School Based Coordinated Program. Waiver Number: 121-4-2004 (Recommended for APPROVAL)	ACTION

STATE MEAL MANDATE (Summer School)

ITEM WC-21	Request by Beverly Hills Unified School District to waive Education Code (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 18-5-2004 (Recommended for APPROVAL)	ACTION
ITEM WC-22	Request by Central Union School District to waive Education Code (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 2-6-2004 (Recommended for APPROVAL)	ACTION

Speaker

Silvia DeRuvo, California Association of Resource Specialists and Special Education Teachers (WC-13)

- ACTION: Mr. Godfrey moved to approve the requests under Waiver Items WC-1 through WC-22, including any conditions, as recommended by staff. Ms. Johnson seconded the motion. The motion was approved by unanimous vote of the members present.

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BOND INDEBTEDNESS

ITEM W-6	Request by Wiseburn School District (SD) for a waiver of <i>Education Code</i> (EC) Section 35575 and portions of EC 35576 to continue to pay bond indebtedness of Measure C (Centinela Valley Union High School District, March 2000 General Obligation Bond) by property owners of Wiseburn School District. Waiver Number: 16-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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Withdrawn.

CHARTER SCHOOL ATTENDANCE

ITEM W-8	Request by Eagles Peak Charter School to waive portions of Title 5 CCR Section 11960(c)(A) and (B), related to charter school attendance, to be able to enroll new students over age 20 and to serve students that have reached 23 years and older, while continuing to receive K-12 apportionments for these students. Waiver Number: 122-4-2004 (Recommended for DENIAL)	ACTION
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Withdrawn.

STATE MEAL MANDATE (Summer School Denial)

ITEM W-33	Request by Encinitas School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 118-3-2004 (Recommended for DENIAL)	ACTION
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Withdrawn.

PROPOSED CONSENT ITEMS (W-7, W-10, W-11, W-13, W-14, W-15, W-16, W-17, W-18, W-19, W-20, W-21, W-22, W-24, W-25, W-26, W-27, W-28, W-31, and W-32)

CERTIFICATED EMPLOYEE PROBATIONARY PERIOD

ITEM W-7	Request by San Francisco Unified School District for a waiver of <i>Education Code</i> (EC) Section 44929.21(b) to allow an extension of the non-reelection date (March 15, 2004) for one certificated probationary teacher for a third year. Waiver Number: 27-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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COMMUNITY DAY SCHOOL

ITEM W-10	Request by Corcoran Unified School District for a renewal waiver of <i>Education Code</i> (EC) Section 48661(a) relating to the placement of a community day school on the same site as a continuation high school, and some adult education classes at the Kings Lake Education Center. Waiver Number: 94-4-2004 Recommended for APPROVAL WITH CONDITIONS E.C. 33051(c) will apply.	ACTION
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EQUITY LENGTH OF TIME – (Kindergarten)

ITEM W-11	Request by Dixon Unified School District (Dixon USD) to waive <i>Education Code</i> (EC) Section 48661(a) relating to the placement of a community day school on the same site as the Maine Prairie Continuation High School. Waiver Number: 13-5-2004 Recommended for APPROVAL WITH CONDITIONS E.C. 33051(c) will apply.	ACTION
ITEM W-13	Request by Culver City Unified School District to waive <i>Education Code</i> (EC) section 37202, the equity length of time requirement, to allow a pilot full day kindergarten program at Farragut, El Rincon, and La Ballona elementary schools. Waiver Number: 11-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM W-14	Request by Konocti Unified School District to renew a waiver of <i>Education Code</i> (EC) section 37202, the equity length of time requirement, to allow a full day kindergarten program at Pomo Elementary School. Waiver Number: 12-5-2004 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply.	ACTION
ITEM W-15	Request by South Bay Union School District to waive <i>Education Code</i> (EC) section 37202, the equity length of time requirement, to allow a pilot full day kindergarten program at West View School. Waiver Number: 14-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION

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ITEM W-16	Request by Paramount Unified School District for a renewal to waive <i>Education Code</i> (EC) section 37202, the equity length of time requirement, to allow full day kindergarten at Wirtz School. Waiver Number: 37-5-2004 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply.	ACTION
ITEM W-17	Request by Las Virgenes Unified School District for a renewal waiver of <i>Education Code</i> (EC) section 37202, the equity length of time requirement, to allow a full day kindergarten program at Sumac Elementary School. Waiver Number: 24-5-2004 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply	ACTION
ITEM W-18	Request by Jefferson Elementary School District to waive <i>Education Code</i> (EC) section 37202, the equity length of time requirement to allow a full day kindergarten program at Roosevelt School, Garden Village, Westlake, Coloma, M.H. Tobias, and Edison Elementary Schools. Waiver Number: 29-5-2004 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply.	ACTION
ITEM W-19	Request by Napa Unified School District for a renewal to waive <i>Education Code</i> (EC) section 37202, the equity length of time requirement for kindergarten students to allow a full day kindergarten program at Alta Heights, Donaldson Way, El Centro, Mt. George, McPherson, Napa Junction, Northwood, Pueblo Vista, Salvador, Vichy and West Park Elementary Schools. Waiver Number: 4-5-2004 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply.	ACTION

EQUITY LENGTH OF TIME (Grades 1-3)

ITEM W-20	Request by Rocklin Unified School District to waive <i>Education Code</i> (EC) section 37202, the equity length of time requirement, to allow Rock Creek Elementary School to operate grades 1-3 with longer instructional days than the rest of the district (schools on early-late schedule). Waiver Number: 132-4-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)

ITEM W-21	<p>Request by three school districts for a retroactive waiver of <i>Education Code</i> (EC) Section 60119 regarding the Annual Public Hearing on the availability of textbooks or instructional materials. The district had an audit finding for fiscal year 2002-2003 that they 1) failed to hold the public hearing, or 2) failed to properly notice (10 days) the public hearing and/or 3) failed to post the notice in the required three public places.</p> <p>Waiver Number– 09-05-2004 – Big Pine Unified SD Waiver Number– 15-05-2004 – Center Unified SD Waiver Number– 81-03-2004 – Washington Union HS D (Recommended for APPROVAL)</p>	ACTION
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INSTRUCTIONAL TIME PENALTY

ITEM W-22	<p>Request by Acalanes Union High School District to waive <i>Education Code</i> (EC) Section 46202(b), the longer day incentive program penalty for offering less instructional time in the 2002-2003 fiscal year than what the district offered in 1982-1983, at Miramonte High School (shortfall of 196 minutes).</p> <p>Waiver Number: 160-3-2004 Recommended for APPROAL WITH CONDITIONS</p>	ACTION
ITEM W-24	<p>Request by Pleasant Valley Joint Union Elementary School District to waive <i>Education Code</i> (EC) Section 46202(b), the longer day incentive program penalty for offering less time in the 2002-2003 fiscal year than what the district offered in 1982-1983 at Pleasant Valley School (shortfall of 300 minutes).</p> <p>Waiver Number: 66-2-2004 (Recommended for APPROVAL WITH CONDITIONS)</p>	ACTION
ITEM W-25	<p>Request by Big Oak Flat-Groveland Unified School District to waive <i>Education Code</i> (EC) Section 46202(b) the longer day instructional time penalty for falling below the minutes set in 1986-87 in the 2002-2003 fiscal year for Kindergarten at Tenaya Elementary School (shortfall of 2,300 minutes).</p> <p>Waiver Number: 107-4-2004 (Recommended for APPROVAL WITH CONDITIONS)</p>	ACTION

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ITEM W-26	Request by Vallejo City Unified School District to waive <i>Education Code</i> (EC) Section 46202(b), the longer day incentive program penalty for offering less instructional time in the 2002-2003 fiscal year than what the district offered in 1982-1983, at Jesse Bethel High School (shortfall of 110 minutes). Waiver Number: 20-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM W-27	Request by Rio Elementary School District to waive <i>Education Code</i> (EC) Section 46202(b) the longer day instructional time penalty for falling below the minutes set in 1986-87 for grades 1-6 in the 2002-2003 fiscal year at five schools in the district: Rio Del Norte, El Rio, Rio Linda, Rio Plaza, and Rio Real (shortfall of 550 and 520 minutes). Waiver Number: 109-4-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM W-28	Request by Westside Elementary School District to waive <i>Education Code</i> (EC) Section 46202(b), the longer day instructional time penalty for falling below the minutes set in 1986-87 for grades 4-8 in the 2002-2003 fiscal year at Westside Elementary School (shortfall of 4,905 minutes). Waiver Number: 161-3-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION

STATE MEAL MANDATE (Summer School)

ITEM W-31	Request by Carmel Unified School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 28-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM W-32	Request by Mesa Union School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 7-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION

- ACTION: Ms. Johnson moved to approve the waiver requests under Waiver Items W-7, W-10, W-11, W-13, W-14, W-15, W-16, W-17, W-18, W-19, W-20, W-21 (excluding Center Unified School District pursuant to the district's request), W-22, W-24, W-25 (with correction noted by staff), W-26, W-27, W-28, W-31, and W-32, including any conditions, as recommended by staff. Mr. Williams seconded the motion. The motion was approved by unanimous vote of the members present.

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NON-CONSENT WAIVERS (W-1 through W-5, W-9, W-12, W-23, W-29, W-30, W-34, W-35)

ITEM W-1	Request by Long Valley Charter School to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation for 1 (one) special education student based on EC 56101, the special education authority. Waiver Number: 23-5-2004 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply.	ACTION
ITEM W-2	Request by Needles Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation for 4 (four) special education students based on EC 56101, the special education authority. Waiver Number: 5-6-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION

- ACTION: Mr. Nuñez moved to approve (1) the request under Waiver Item W-1, with conditions, including reporting to CDE on the number of students under the waiver who did not complete Algebra I, as recommended by staff; and (2) the request under Waiver Item W-2, with conditions, including reporting to CDE on the number of students under the waiver who did not complete Algebra I, as recommended by staff. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM W-3	Request by Gustine Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation. (1 senior). Waiver Number: 30-5-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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[Waiver Items W-3 and W-4 were acted on together.]

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ITEM W-4	Request by Riverside County Office of Education to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation. (32 seniors) Waiver Number: 115-4-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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- ACTION: Mr. Nuñez moved to approve the requests under Waiver Items W-3 and W-4, with conditions, including reporting to CDE on the number of students under the waiver who did not complete Algebra I, as recommended by staff. Ms. Johnson seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM W-5	Request by Oakland Unified School District (OUSD) – Academic Performance Index (API) Waiver. Specifically, the OUSD requests a portion of Title 5 CCR Section 1032.5(d)(5), the 85% requirement in the number of test takers in history/social science to allow Oakland High School to be given a VALID base API for the (2003) year so that they will make Adequate Yearly Progress (AYP). Waiver Number: 135-3-2004 Recommended for APPROVAL	ACTION
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- ACTION: Mr. Nuñez moved to approve the request under Waiver Item W-5, as recommended by staff. Mr. Williams seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM W-9	Request by Point Arena Union High School District and Arena Union Elementary School District to waive a portion of <i>Education Code</i> (EC) Section 35110, to allow the common governing board of these two districts to adopt a resolution of joint and separate areas responsibilities when the employees of these two districts have different bargaining units (although both are associated with the California Teachers Association). Waiver Number: 31-5-2004 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply.	ACTION
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- ACTION: Mr. Williams moved to approve the request under Waiver Item W-9, with conditions, as recommended by staff. Ms. Johnson seconded the motion. The motion was approved by unanimous vote of the members present.

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ITEM W-12	Request by North Sacramento Unified School District to waive <i>Education Code</i> (EC) Section 37202, the equity length of time requirement, to allow a pilot full day kindergarten program at Noralto Elementary School. Waiver Number: 110-4-2004 Recommended for APPROVAL WITH CONDITIONS	ACTION
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Speaker

Martha Roten, Principal, Noralto Elementary School

- ACTION: Ms. Tacheny moved to approve the request under Waiver Item W-12, with conditions, as recommended by staff. Ms. Johnson seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM W-23	Request by Albany Unified School District to waive <i>Education Code</i> (EC) Section 46202(b), the longer day incentive program penalty for offering less instructional time in the 2002-2003 fiscal year than what the district offered in 1982-1983, at Albany High School (shortfall of 8,065 minutes). Waiver Number: 178-3-2004 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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Speaker

Marla Stevenson, Superintendent, Albany Unified School District

- ACTION: Ms. Johnson moved to approve the request under Waiver Item W-23, with the conditions that (1) the district maintain increased instructional time at Albany High School in grades 9 through 12 from the required 64,800 minutes per year to 72,865 minutes (64,800 plus the 8065 short) for a period of two years beginning in 2003-2004 and continuing through 2004-2005, and report the increases in its yearly audits; (2) in 2004-2005, priority for additional class periods be given to students who were denied the opportunity for full instructional time in 2002-2003, i.e. those students who were in the ninth grade in 2002-2003; and (3) a report of both conditions (1) and (2) be made to the Board (through the Waiver Office).

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ITEM W-29	Request by Pittsburg Unified School District to waive <i>Education Code</i> (EC) sections 52084(a), 52084(c) and 52086(a), 9th Grade Class Size Reduction Program (Morgan-Hart), to provide a 25 to 1 student to teacher ratio across three core courses – English, mathematics, and science. Waiver Number: 89-3-2004 (Recommended for DENIAL)	ACTION
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- ACTION: Ms. Tacheny moved to deny the request under Waiver Item W-29, as recommended by staff, per *Education Code* Section 33051(a)(1), the educational needs of the pupils are not adequately addressed. Ms. Johnson seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM W-30	Request by Alhambra City School District to waive <i>Education Code</i> (EC) Section 56362(c): allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Martha Myers/Karin Summerford assigned at Northrup Elementary School. Waiver Number: 162-3-2004 (Recommended for DENIAL)	ACTION
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- ACTION: Mr. Nuñez moved to deny the request under Waiver Item W-30, as recommended by staff. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM W-34	Request by Bass Lake Joint Union Elementary School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 123-4-2004 (Recommended for DENIAL)	ACTION
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- ACTION: Mr. Godfrey moved to approve the request under Waiver Item W-34, as recommended by staff in the last minute memorandum. Mr. Williams seconded the motion. The motion was approved by unanimous vote of the members present.

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ITEM W-35	Request by San Carlos School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 21-5-2004 (Recommended for DENIAL)	ACTION
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- ACTION: Ms. Tacheny moved to deny the request under Waiver Item W-35, as recommended by staff. Mr. Nuñez seconded the motion. The motion was approved by unanimous vote of the members present.

[End of waivers.]

ITEM 38	Exclusion of Forks of Salmon Elementary School District from the Proposed Unification of Etna Union High School District in Siskiyou County.	INFORMATION ACTION
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Speaker

Barbara Dillmann, Superintendent, Siskiyou County Office of Education

- ACTION: Mr. Godfrey moved to approve the request by Forks of Salmon Elementary School District to be excluded from the proposed unification of Etna Union High School District, as recommended by staff. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 39	Environmental Effect of Proposed Formation of Wiseburn Unified School District from Wiseburn Elementary School District and a Portion of Centinela Valley Union High School District in Los Angeles County.	INFORMATION ACTION PUBLIC HEARING
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Withdrawn.

ITEM 40	Proposed Formation of Wiseburn Unified School District from Wiseburn Elementary School District and a Portion of Centinela Valley Union High School District in Los Angeles County.	INFORMATION ACTION PUBLIC HEARING
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Withdrawn.

ITEM 41	Legislative Update: Including, but Not Limited to, Information on Legislation.	INFORMATION ACTION
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No action taken.

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ITEM 42	California School Information Services (CSIS) Overview.	INFORMATION
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Information only. No action taken.

Adjournment of Meeting. 11:42 a.m.